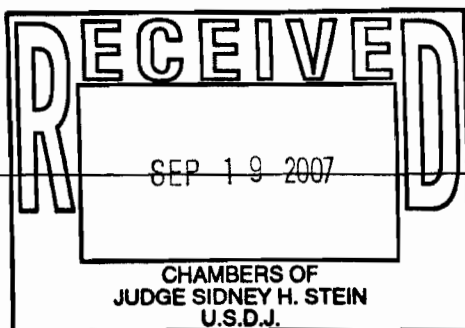


U.S. Department of Justice



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

September 19, 2007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/19/07

By Fax

The Honorable Sidney H. Stein
United States District Court
500 Pearl Street, Room 1010
New York, New York 10007

MEMO ENCLOSED

Re: United States v. Gilberto Morales & Kevin Wade Nelson,
S6 06 Cr. 518 (SHS)

Dear Judge Stein:

This letter is respectfully submitted in response to the letter of today's date submitted by Peter Guadagnino, Esq., counsel for defendant Gilberto Morales, requesting an adjournment of the conference currently scheduled for tomorrow afternoon in the above-captioned case, to a date convenient for the Court after October 8, 2007. We do not oppose the adjournment. I have conferred with the office of Devereaux Cannick, Esq., counsel for defendant Kevin Wade Nelson, who advised me that Mr. Cannick consents to the adjournment and to the exclusion of time under the Speedy Trial Act until the date of the next conference. I have attempted to contact Mr. Guadagnino to confirm his consent to the exclusion of time under the Speedy Trial Act, but have been unable to speak with him or his office as of this afternoon.

I have been engaged in discussions with counsel regarding a possible disposition of the matter without trial, and those discussions are continuing. In addition, because of Mr. Guadagnino's relatively recent entry into the case, the brief adjournment sought may provide him with further opportunity to review the discovery with his client. For each of these reasons, I believe an adjournment would be appropriate, and respectfully request that time be excluded for purposes of the Speedy Trial Act from today until the new date, 10/10/07. The Court finds that the ends of justice served by this continuance outweigh the best interest of the public and the defendants in a speedy trial pursuant to Sec. 3161(h)(8)(A).

The conference is adjourned until
Oct. 10, 2007, at 3:30 pm.
SO ORDERED 9/19/07

SIDNEY H. STEIN
U.S.D.J.

MICHAEL J. GARCIA
United States Attorney

By:

Eugene Ingoglia
Assistant U.S. Attorney
(212) 637-1113

cc (without attachment): Devereaux L. Cannick, Esq. (by facsimile: 718-803-9764)
Peter Guadagnino, Esq. (by facsimile: 908-276-0547)